

Exhibit B

Smith, Samantha E.

From: Pritsker, Gabrielle E. <gpitsker@jonesday.com>
Sent: Thursday, March 12, 2020 5:45 PM
To: Smith, Samantha E.; Cottreau, Steven T.; Frederick Goetz; juanmorillo@quinnemanuel.com; Peter Salerno; Amy Rothstein; Omar Mohammedi, Esq. (OMohammedi@otmlaw.com); Aisha Bembry; Waleed Nassar; DeGenaro, Stephen M.; Marshall, C. Kevin
Cc: Strong, Bruce; Wah, Stephen; Goldman, Jerry S.
Subject: RE: Position on Oral Argument

EXTERNAL SENDER

Jerry and Sam,

Defendants believe that the issue could be resolved on the papers, but are happy to provide oral argument if the Court desires it. We would appreciate if the letter to Judge Netburn could reflect our position.

Best,
Gabby

Gabrielle Pritsker
Associate
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Washington, D.C. 20001-2113
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From: Smith, Samantha E. <ssmith@andersonkill.com>
Sent: Thursday, March 12, 2020 3:31 PM
To: Pritsker, Gabrielle E. <gpitsker@jonesday.com>; Cottreau, Steven T. <scottreau@jonesday.com>; Frederick Goetz <FGoetz@goetzeckland.com>; juanmorillo@quinnemanuel.com; Peter Salerno <peter.salerno.law@gmail.com>; Amy Rothstein <amyrothsteinlaw@gmail.com>; Omar Mohammedi, Esq. (OMohammedi@otmlaw.com) <OMohammedi@otmlaw.com>; Aisha Bembry <Aisha.Bembry@lbkmlaw.com>; Waleed Nassar <Waleed.Nassar@lbkmlaw.com>; DeGenaro, Stephen M. <sdegenaro@jonesday.com>; Marshall, C. Kevin <ckmarshall@JonesDay.com>
Cc: Strong, Bruce <Bstrong@andersonkill.com>; Wah, Stephen <swah@andersonkill.com>; Goldman, Jerry S. <Jgoldman@andersonkill.com>
Subject: RE: Position on Oral Argument

All,

Following Jerry's email from yesterday , enclosed please find copies of our proposed transmittals for tomorrow (without attachments) addressing oral argument and courtesy copies. Please let us know your position regarding oral argument.

Samantha

From: Goldman, Jerry S.
Sent: Wednesday, March 11, 2020 6:12 PM
To: 'Pritsker, Gabrielle E.'; Cottreau, Steven T.; Frederick Goetz; juanmorillo@quinnemanuel.com; Peter Salerno; Amy

Rothstein; Omar Mohammedi, Esq. (OMohammedi@otmlaw.com); Aisha Bemby; Waleed Nassar; DeGenaro, Stephen M.; Marshall, C. Kevin

Cc: Strong, Bruce; Smith, Samantha E.; Wah, Stephen

Subject: Position on Oral Argument

All-

In connection with our submission of our reply memorandum of law in support of class certification and related relief and our tendering of a full set of the papers to chambers in accordance with the Court's rules, on behalf of the plaintiff-movants we will be requesting oral argument. As things stand now, we intend to submit the courtesy copies on Friday.

Please let us know your position on same so that we can so advise the Court.

Sincerely,

Jerry S. Goldman



Jerry S. Goldman
Shareholder

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From: Pritsker, Gabrielle E. <gpritsker@jonesday.com>

Sent: Tuesday, January 14, 2020 5:22 PM

To: Smith, Samantha E. <ssmith@andersonkill.com>; Cottreau, Steven T. <scottreau@jonesday.com>; Frederick Goetz <FGoetz@goetzeckland.com>; juanmorillo@quinnemanuel.com; Peter Salerno <peter.salerno.law@gmail.com>; Amy Rothstein <amyrothsteinlaw@gmail.com>; Omar Mohammedi, Esq. (OMohammedi@otmlaw.com) <OMohammedi@otmlaw.com>; Aisha Bemby <Aisha.Bembry@lbkmlaw.com>; Waleed Nassar <Waleed.Nassar@lbkmlaw.com>; DeGenaro, Stephen M. <sdegenaro@jonesday.com>; Marshall, C. Kevin <ckmarshall@JonesDay.com>

Cc: Goldman, Jerry S. <Jgoldman@andersonkill.com>; Strong, Bruce <Bstrong@andersonkill.com>

Subject: RE: Consent Request re. Estate of John P. O'Neill Sr., et al v. al Baraka Investment & Development Corp., et al.

EXTERNAL SENDER

Samantha,

Counsel for MWL/IIRO also do not oppose the addition of John F. O'Neill as a class representative and also reserve the right to object to future additional class representatives unless given a full and fair opportunity to pursue class discovery related to any future class representatives.

Best,
Gabby

Gabrielle Pritsker

Associate

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From: Pritsker, Gabrielle E.

Sent: Tuesday, January 14, 2020 5:01 PM

To: 'Smith, Samantha E.' <ssmith@andersonkill.com>; Cottreau, Steven T. <scottreau@jonesday.com>; Frederick Goetz <FGoetz@goetzeckland.com>; juanmorillo@quinnemanuel.com; Peter Salerno <peter.salerno.law@gmail.com>; Amy Rothstein <amyrothsteinlaw@gmail.com>; Omar Mohammedi, Esq. (OMohammedi@otmlaw.com) <OMohammedi@otmlaw.com>; Aisha Bembry <Aisha.Bembry@lbkmlaw.com>; Waleed Nassar <Waleed.Nassar@lbkmlaw.com>; DeGenaro, Stephen M. <sdegenaro@jonesday.com>; Marshall, C. Kevin <ckmarshall@jonesday.com>

Cc: Goldman, Jerry S. <jgoldman@andersonkill.com>; Strong, Bruce <Bstrong@andersonkill.com>

Subject: RE: Consent Request re. Estate of John P. O'Neill Sr., et al v. al Baraka Investment & Development Corp., et al.

Samantha,

On behalf of counsel for DIB, Yassin Kadi, and WAMY, we do not oppose the addition of John F. O'Neill as a class representative. We are still waiting to hear from IIRO/MWL counsel whom we understand is traveling. We will follow up as soon as we hear from them.

We reserve the right to object to future additional class representative unless we are given a full and fair opportunity to pursue class discovery related to any future class representatives.

Best,

Gabrielle Pritsker

Associate

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From: Smith, Samantha E. <ssmith@andersonkill.com>

Sent: Monday, January 13, 2020 6:33 PM

To: Cottreau, Steven T. <scottreau@jonesday.com>; Pritsker, Gabrielle E. <gpritsker@jonesday.com>; Frederick Goetz <FGoetz@goetzeckland.com>; juanmorillo@quinnemanuel.com; Peter Salerno <peter.salerno.law@gmail.com>; Amy Rothstein <amyrothsteinlaw@gmail.com>; Omar Mohammedi, Esq. (OMohammedi@otmlaw.com) <OMohammedi@otmlaw.com>; Aisha Bembry <Aisha.Bembry@lbkmlaw.com>; Waleed Nassar <Waleed.Nassar@lbkmlaw.com>

Cc: Goldman, Jerry S. <jgoldman@andersonkill.com>; Strong, Bruce <Bstrong@andersonkill.com>

Subject: Consent Request re. Estate of John P. O'Neill Sr., et al v. al Baraka Investment & Development Corp., et al.

Counsel,

I am an associate at Anderson Kill, P.C., and one of the attorneys of record in the O'Neill litigations.

Pursuant to FRCP Rule 15(a)(2), Plaintiffs seek Defendants written consent to amend their complaint to add the Estate of John F. O'Neill, the late father of John P. O'Neill, Sr. as a party and class representative. In October 2019, we informed counsel that plaintiffs may seek to add this estate as a party to the case. In anticipation of this amendment, on October 24, 2019, Defendants sent Interrogatory Requests to the Estate of John F. O'Neill. That same day, the Estate of John F.

O'Neill responded to the Interrogatory Requests. On October 29, 2019, Defendants deposed the personal representative of John F. O'Neill's estate.

So that Plaintiffs know your position as to the proposed amendment in order to include it in the upcoming motion papers, please provide your position no later than 5:00PM on Tuesday, January 14, 2020.

Samantha



Samantha E. Smith

Attorney

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[Biography](#)

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